

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION

DOCKET NO. 5:17-CR-11-RLV

UNITED STATES OF AMERICA,)	
)	
)	ORDER OF FORFEITURE
v.)	
)	
CHUCK ALLEN CHURCH, JR.)	

In the Second Superseding Bill of Indictment (Doc. No. 43) in this case charged Defendant with violations of 18 U.S.C. §§ 841 and 846 and 18 U.S.C. §922 (g)(1). The Indictment also provided notice that property was subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C) and/or 2461, and specifically identified assets and a money judgment as subject to forfeiture.

Defendant entered into a plea agreement and subsequently pled guilty to Counts One, Two and Four in the Second Superseding Bill of Indictment; and was adjudged guilty of the offenses in those counts.

For purposes of Fed. R. Crim. P. 32.2 and based on the Indictment, plea of guilty, stipulated Factual Basis the Government has established the amount of the money judgment and identified specific assets to be forfeited the Defendant.

The United States may, at any time, move pursuant to Rule 32.2(e) to amend this Order of Forfeiture as to substitute property to satisfy the money judgment in whole or in part.

IT IS THEREFORE ORDERED:

1. That, based upon 18 U.S.C. § 982, this Order shall constitute a money judgment for the following property:

A forfeiture money judgment in the amount of \$177,240 in proceeds of the violations set forth in the Second Superseding Bill of Indictment.

2. Based upon Defendant's plea of guilty, the United States is authorized to seize the following property belonging to Defendant, and it is hereby forfeited to the United States for disposition according to law, provided, however, that such forfeiture is subject to any and all third party claims and interests, pending final adjudication herein:

Approximately \$11,658 in US currency seized during the investigation;

Approximately \$3,500 in US currency seized during the investigation; and

One Sporting Arms Mfg (Littlefield, TX), Snake Charmer II 410 caliber shotgun, with serial number 65684 and ammunition, seized during the investigation.

The net value of these specific assets shall be credited, upon receipt and final forfeiture, against the amount of the money judgment.

3. Pursuant to 21 U.S.C. § 853(n)(1), the government shall publish notice of this order; notice of its intent to dispose of the property in such manner as the Attorney General may direct; and notice that any person, other than the Defendant, having or claiming a legal interest in any of the above-listed forfeited property must file a petition with the Court within thirty days of the final publication of notice or of receipt of actual notice, whichever is earlier. This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in each of the forfeited properties and any additional facts supporting the petitioner's claim and the relief sought. The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in property that is the subject of this Order of Forfeiture, as a substitute for published notice as to those persons so notified.

4. Upon adjudication of third-party interests, if any, this Court will enter a final Order of Forfeiture pursuant to 21 U.S.C. § 853(n).

5. If no third party files a timely claim, this Order of forfeiture shall become Final and shall be made part of the sentence and included in the judgment, as provided by Fed. R. Crim. P. 32.2(b)(4) and 32.2(c)(2).

Signed: December 6, 2017

A handwritten signature in black ink, reading "Richard L. Voorhees", written over a horizontal line.

Richard L. Voorhees
United States District Judge

